

ALLEN RUBY (SBN 47109)  
 Allen.Ruby@skadden.com  
 SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP  
 525 University Avenue, Suite 1400  
 Palo Alto, California 94301  
 Telephone: (650) 470-4500  
 Facsimile: (650) 470-4570

LANCE A. ETCHEVERRY (SBN 199916)  
 Lance.Etcheverry@skadden.com  
 ABRAHAM A. TABAIE (SBN 260727)  
 Abraham.Tabaie@skadden.com  
 ALLISON B. HOLCOMBE (SBN 268198)  
 Allison.Holcombe@skadden.com  
 SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP  
 300 South Grand Avenue  
 Los Angeles, California 90071-3144  
 Telephone: (213) 687-5000  
 Facsimile: (213) 687-5600

Attorneys for Respondents  
 BYD COMPANY LIMITED AND  
 BYD PRECISION MANUFACTURING CO., LTD.

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

APPLE INC,	)	CASE NO.: 3:15-cv-04985-RS
	)	
Petitioner,	)	<b>JOINT STIPULATION TO EXTEND</b>
	)	<b>TIME TO FILE OPPOSITION AND</b>
v.	)	<b>REPLY BRIEFS (PETITIONER APPLE</b>
	)	<b>INC'S MOTION TO COMPEL</b>
BYD COMPANY LIMITED AND BYD	)	<b>ARBITRATION AND FOR</b>
PRECISION MANUFACTURING CO., LTD.,	)	<b>PRELIMINARY INJUNCTION) AND</b>
	)	<b>RESPONSE TO PETITION; and</b>
Respondents.	)	
	)	<b>[<del>PROPOSED</del>] ORDER</b>
	)	

Petitioner Apple Inc. ("Petitioner") and Respondents BYD Company Limited and BYD Precision Manufacturing Company, LTD. jointly stipulate, pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12, to extend the time to file opposition and reply briefs regarding Petitioner's Motion to Compel Arbitration and for Preliminary Injunction ("Motion") (Dkt. No. 3) and to respond to

Petitioner's Petition for Order Compelling Arbitration and for Injunctive Relief Pending Arbitration ("Petition") (Dkt. No. 1);

WHEREAS, on November 16, 2015, Petitioner filed a motion with this Court to extend the deadline for any opposition to Petitioner's Motion from November 17, 2015 to November 24, 2015, and for a similar week extension for any reply papers (Dkt. No. 24);

WHEREAS, this Court granted Petitioner's motion to extend time, and rescheduled the hearing on Petitioner's Motion for December 17, 2015 (Dkt. No. 25);

WHEREAS, counsel for Respondents also will be traveling to Asia for business the week of December 17, 2015 and will be unavailable to attend the currently scheduled hearing on Petitioner's Motion;

WHEREAS, counsel for Respondents were recently engaged to represent Respondents and require additional time to consider the legal issues presented and to compile evidence to oppose Petitioner's Motion;

WHEREAS, Petitioner understands that Respondent BYD Company Limited may have withdrawn, or is in the process of withdrawing, its claims in the Chinese Patent Litigation as described in the Petition, but Petitioner and Respondents require additional time to consider whether to engage in further settlement discussions, including to discuss whether BYD Company Limited will participate in a mediation led by the Shenzhen Court in order to obtain a "Mediation Order";

Now therefore, the parties, through the undersigned counsel, hereby stipulate as follows:

1) That the deadline for filing an opposition to Petitioner's Motion be extended to December 8, 2015;

2) That the deadline for filing a response to Petitioner's Petition be extended to December 8, 2015;

3) That the deadline for filing a reply in support of Petitioner's Motion be extended to December 22, 2015; and

4) That the hearing on Petitioner's Motion be set for January 14, 2016 at 1:30 p.m.

1 The parties' proposed time modification would impact the deadlines in this case as follows:

	Current date	Requested date
2 Respondents' Opposition to Petitioner's Motion to Compel Arbitration and For Preliminary Injunction	11/24/2015	12/8/2015
3 Respondent's Response to Petition	11/24/2015	12/8/2015
4 Petitioner's Reply in Support of Motion to Compel Arbitration and For Preliminary Injunction	12/1/2015	12/22/2015
5 Hearing on Petitioner's Motion to Compel Arbitration and For Preliminary Injunction	12/17/2015	01/14/2016

8 DATED: November 23, 2015

9 SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

11 By: /s/ Lance A. Etcheverry  
 12 LANCE A. ETCHEVERRY  
 13 Attorneys for Respondents  
 14 BYD COMPANY LIMITED AND  
 15 BYD PRECISION MANUFACTURING CO., LTD.

16 SIMPSON THACHER & BARTLETT LLP

17 By: /s/ Harrison J. Frahn, IV  
 18 HARRISON J. FRAHN, IV  
 19 Attorneys for Petitioner  
 20 Apple Inc.

21 Pursuant to Civil Local Rule 5-1(i), the filer attests that concurrence in the filing of this  
 22 document has been obtained from the signatories above.

23 /s/ Lance Etcheverry

28

~~[PROPOSED]~~ ORDER

PURSUANT TO THE FOREGOING STIPULATION OF THE PARTIES, IT IS  
ORDERED THAT:

1. the deadline for any opposition to Apple's Motion to Compel Arbitration and for Preliminary Injunction be extended from November 24, 2015 to December 8, 2015;
2. the deadline for any response to Apple's Petition for Order Compelling Arbitration and for Preliminary Injunction be extended from November 24, 2015 to December 8, 2015;
3. the deadline for any reply in support of Apple's Motion to Compel Arbitration and for Preliminary Injunction also be extended from December 1, 2015 to December 22, 2015;
- and
4. that the hearing on Petitioner's Motion be set for January 14, 2016 at 1:30 p.m.

November 23, 2015

  
Honorable Richard Seeborg